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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Appellant: Satoshi KUME

Appl. No. 09/610,263

Filed: July 5, 2000

For: ULTRASONIC SEALING
APPARATUS

Art Unit: 3721

Confirmation No.: 5002

Examiner: Michelle Lopez

Atty. Docket No. 31671-164489RK

Customer No.

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PATENT TRADEMARK OFFICE

Request for PTA Calculation Review

Assistant Commissioner for Patents
Mail Stop Patent Extension
P.O. Box 1450
Arlington, VA 22313-1450

Sir:

A Determination of Patent Term Adjustment under 35 USC 154(b) listed on the Issue Notification, mailed March 11, 2005, has been received stating that the patent term adjustment to date for this application is 0 days. This request for reconsideration of the patent term adjustment is being submitted in accordance with 37 C.F.R. § 1.705. Please charge deposit account no. 22-0261 for the \$200.00 Petition fee.

Applicants believe that the proper patent term adjustment is 309 days. The application was filed on July 5, 2000 and a first Office Action was issued on January 29, 2002. Thus, under 37 C.F.R. § 1.703(a)(1), Applicants are entitled to an adjustment of 136 days. Applicants filed an Amendment to the first Office Action on May 29, 2003 with a one month extension of time, thus reducing the patent adjustment by 30 days.

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The Second Office Action was issued on May 28, 2003, nearly one year after Applicants filed the Amendment. Under 37 C.F.R. § 1.703(a)(2), Applicants are entitled to a patent term adjustment of 241 days. Applicants' Response to the Second Office Action was filed on November 28, 2003 with a three month extension of time, thus reducing the patent term adjustment by 92 days.

A Final Office Action was mailed on March 20, 2004. Under 37 C.F.R. § 1.703(a)(1), Applicants are entitled to a patent term adjustment of 53 days for this delay. Applicants timely filed a Response on April 12, 2004.

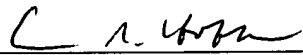
In short, the patent term adjustment should be as follows:

- (+) 136 days PTO delay in mailing first Office Action
- (-) 30 day reduction from Applicants' delay in responding to First OA
- (+) 242 PTO delay in mailing Second Office Action
- (-) 92 day reduction from Applicants' delay in responding to Second OA
- (+) 53 day PTO delay in mailing Final Office Action

Applicants respectfully petition the Commissioner to recalculate the patent term adjustment and indicate that Applicants are entitled to an adjustment of 309 days.

Respectfully submitted,

Date: 6/13/05


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